

CHAPTER NO. 702

HOUSE BILL NO. 2162

By Representative McDaniel

Substituted for: Senate Bill No. 2877

By Senator Herron

AN ACT to amend Tennessee Code Annotated, Title 53, Chapter 3, relative to certain dairy products and frozen desserts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 53-3-302, is amended by adding the following language at the end of the section:

Nothing in this section or part shall be construed as prohibiting a manufacturer or wholesaler from distributing frozen desserts, free of charge to the consumer, or from advertising that such action is occurring or shall occur so long as such action is not done with the intent to injure and destroy competition or with the intent to create a monopoly.

SECTION 2. Tennessee Code Annotated, Section 53-3-303, is amended by adding the following language as a new subsection to be designated as follows:

(c) Nothing in this section or part shall be construed as prohibiting a retailer from distributing frozen desserts, free of charge to the consumer, or from advertising that such action is occurring or shall occur so long as such action is not done with the intent to injure and destroy competition or with the intent to create a monopoly.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 5, 2004


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 18th day of May 2004


PHIL BREDESEN, GOVERNOR